

EXCISE DEPARTMENT.

Notification No. R. Dis. 54-21, dated 22nd April 1922.

With reference to the Opium Rules contained in Government Notification No. R. 5149—Ex. 6-21-23, dated 4th April 1922, the Excise Commissioner, hereby prescribes and publishes under Rule XXX, the following subsidiary rules and forms, in supersession of all previous ones. The rules will come into force from 1st July 1922.

I. Licenses for retail vend granted by the Deputy Commissioner shall be in form I, annexed. A counterpart of each license shall be executed by the licensed vendor and filed in the office of the Deputy Commissioner.

II. Licenses for the sale by druggists of raw opium and admixtures of opium for medicinal purposes only may be issued by the Deputy Commissioner in form II. They shall be granted only to respectable persons engaged in the sale of medicines. Every such license shall expire on the 30th June following the date of issue.

III. The fee for each such license shall ordinarily be Re. 1 per annum, but no fee will be charged for the grant of a druggist's license to a person holding a dealer's license or a Chemist's license under the Dangerous drugs rules, and a druggist's license will ordinarily be granted to every such person who desires one.

NOTE.—Druggist's licenses for dealings in raw opium and admixtures of opium will not be required by the officers in charge of State, charitable or other institutions admitted by the Excise Commissioner to the benefit of the exemptions notified as permissible in respect of such dealings by them.

IV. In order that licensed druggists may be exposed as little as possible to the temptation of using their licenses as a cloak for the surreptitious sale of raw opium and its admixtures for non-medicinal purposes, and thus competing with licensed vendors to the detriment of the revenue, they will ordinarily be required to obtain their supplies of raw opium from licensed retail vendors. Special authorities to obtain supplies from other sources should be most sparingly granted by the Deputy Commissioner.

VI. The acknowledgment to be given, by a licensed druggist or a person in charge of an exempted institution, to a licensed vendor for raw opium purchased from him shall be in the following form, viz., "I, (1) holding a druggist's license for the sale for medicinal purposes at (2) of raw opium and its admixtures (or being in charge of (3) which has been admitted by the Excise Commissioner to the benefit of exemption) hereby acknowledge having purchased from (4) licensee for the retail sale of opium (5 and 6) tolas of raw opium this day of 192

- *1. Name and address.
2. Description of licensed premises.
3. Name of exempted institution.
4. Name.
5. Place.
6. Quantity.

Signature.

Date.

VII. Unless specially exempted from doing so, by the order of the Deputy Commissioner endorsed on his license, every licensed druggist shall maintain and shall sign daily a daily account of all raw opium and admixtures of opium manufactured, possessed, sold or supplied by him. A separate set of pages shall be set aside for raw opium and for each admixture of opium dealt in under the license. The account shall be in form III and printed books containing these forms shall be supplied by the Deputy Commissioner to licensed druggists on payment of such price as may be fixed from time to time.

VIII. The Deputy Commissioner may apply through the proper channels to the Hon'ble the Resident in Mysore to grant to any licensed druggist or person in charge of an exempted institution a pass for the import from beyond seas or for the import from or transport through British India or for the import from a Native State of admixtures of opium for medicinal use not exceeding the quantity which such licensed druggist or person may lawfully possess.

IX. Stocks of opium will be maintained at Taluk offices wherever the Deputy Commissioner may so direct for supply to licensed vendors, or licensed druggists.

X. No opium shall be removed from a taluk office, until a pass for its removal has been obtained from the officer in charge of the Taluk Treasury.

XI. The issue price of opium shall be paid before its removal from the taluk office at such rate as may be fixed and notified into the treasury at which the purchase is to be made.

XII. Opium will be issued from taluk office in entire cakes of 20 or 40 tolas, and no allowance will be made for any excess or dryage in the cakes.

XIII. A licensed vendor, or a licensed druggist, when specially permitted, desiring to procure opium from a taluk office, must first pay the issue price at the prescribed rate into the Government Treasury of the taluk in which his shop is situated, or with the permission of the Deputy Commissioner into any other treasury in the District. He will present with the money a chellan which may be obtained from the Treasury officer. The latter, after assuring himself that the applicant is a licensed vendor, or a licensed druggist will grant him a receipt.

NOTE.—The treasury officers will be furnished from time to time by the Deputy Commissioner with a list of the licensed vendors to whom alone opium may be supplied.

XIV. The officer will thereupon issue the opium and grant a pass signed by the Amildar or in his absence by the Taluk Sheristedar.

XV. Packing charges at taluk office, in respect of opium issued otherwise than on Government account must be defrayed by buyers before removal. Purchasers of opium should make their own arrangements for its removal from taluk office.

XVI. Any person found guilty of any breach of the opium Act, 1878, or of any rule framed thereunder or otherwise committing any offence in respect of the taluk office, or of the taluk officials, or of any property contained in the taluk office, may be excluded from the taluk office by order of the officer in charge.

FORM I. License for retail vend of raw opium and its admixtures granted by the Deputy Commissioner and counterpart of the same.

District.

Locality of retail shop.

Name of licensed vendor.

Be it known that....., son of resident of.....

is hereby authorised by the Deputy Commissioner..... District to manu-

facture admixtures of raw opium and to sell raw opium and its admixtures by retail at

from the..... of 192..... to the.....

of..... 192..... in pursuance of rules made under the opium act and subject to the following conditions:—

1. That the said licensee shall pay to the Treasury the sum of Rs..... in the following instalments (in addition to the sum of Rs....., being one-sixth of the annual payment, already deposited by him, which, if it be not intermediately forfeited for default or breach of conditions, shall be set off against the closing months of the lease.

On the 10th July	Rs.	On the 10th January
August		February
September		March
October		April
November		May
December		June

2. That in case of default or infringement by the licensee or by his servant or agent, or with his knowledge and consent by any person acting under his authority or on his behalf, of any condition of this license or of any provision of the law or of regulations or rules made thereunder it shall be competent to the Deputy Commissioner (without prejudice to the liability to punishment under the Act of the licensee or of any person by whom an offence punishable under the Act may have been committed) to cancel this license, to confiscate the deposit, and to resell the license at the risk of the licensee, and after deducting the confiscated deposit from any loss arising from the resale to recover the remainder, if any, from the licensee, as if it were an arrear of revenue.

3. That the licensee shall not be entitled to any portion of the profit, if any, arising on such resale.

4. That he will sell only raw opium obtained in accordance with the rules made under section 4 of the Act and admixtures manufactured from raw opium so obtained.

5. (a) That he will not sublet or transfer the business covered by this license, nor employ therein any salesman without the express sanction, endorsed on this license of the

Deputy Commissioner. That no person suffering from leprosy or other contagious disease shall be employed in the manufacture, transport or sale of raw opium or its admixtures, and that no minor, female other than a relative of the licensee, or eunuch shall be employed in the sale of opium or its admixtures.

(b) That he will not, without the written permission of the Deputy Commissioner, hold or acquire any interest in a license or contract for the retail sale in the area covered by this license, or in any adjacent area, of any excisable commodity other than raw opium and its admixtures; nor will he without such permission employ any person holding such an interest.

6. That he will sell raw opium and its admixtures only to the shop for which this license is granted.

7. That he will not permit the consumption of raw opium or its admixtures in his shop or on any other premises in his occupation.

8. That he will not adulterate the raw opium sold by him as such.

9. That he will not receive any wearing apparel or other goods in barter or raw opium or its admixtures.

10. That he will sell no raw opium or its admixtures to any insane or intoxicated person or to any child of under 14 years of age.

11. That excepting as permitted by clause (2) of rule XVIII of the rules regarding raw opium and its admixtures he will not sell to any one person at any one time more than one tola of raw opium and its admixtures, which is the limit of private possession.

12. That he will not sell prepared opium, nor shall he possess prepared opium, or permit the smoking of opium, on the premises covered by this license.

13. "That he will not open his shop or make sales therein between the hour of and sunrise, and that he will not harbour any person therein during the night.

14. That he will not permit persons of notoriously bad character to resort to his shop; that he will not permit gaming or disorderly conduct therein, and that he will give information to the nearest Magistrate or Police officer of the resort thereto of any person suspected of the commission of a cognizable offence.

15. That he will have constantly affixed at his shop a signboard bearing the following inscription in the local vernacular:

..... Licensed to retail raw opium and its admixtures.....

16. That he will, keep up daily accounts in the annexed forms showing the receipts and expenditure at his shop of raw opium and of its admixtures and the balance in store:—

I. RAW OPIUM.

Date	Quantity of raw opium in store yesterday	Quantity received this day and whence received	Total to be accounted for	Quantity sold this day	Quantity converted this day into opium mixtures	Quantity left in store

II. ADMIXTURES

[illegible]

17. That he will at once produce his license and accounts for inspection on the demand of any opium officer, and that he will permit any such officer to enter his shop at any hour of the day or night.

13. This license shall have effect from the to the It may be forfeited by order of the Deputy Commissioner in the event of infraction of any of its conditions or of the holder being convicted of an offence against the Act, or of the law relating to hemp drugs or excise.
 Dated Signed
 Deputy Commissioner.

REVERSE OF FORM I.

Name of sanctioned salesman, with
parentage and residence

Signature of Deputy Commissioner in
token of approval

FORM II.

License granted under the rules relating to raw opium and admixtures of opium for the sale by a druggist of raw opium and admixtures of opium for medicinal purposes only.

("Licensed Druggist's" License.)

(Name of licensed druggist)
 (Name or locality of licensed premises)
 residing at is hereby licensed to possess raw opium and to manufacture and possess admixtures of opium and to sell or supply raw opium and admixtures of opium for medicinal purposes only from the to the 30th June 19.., subject to the provisions of the opium Act and of the rules and notifications issued thereunder and to the following conditions, viz.

1. He shall not transfer or purport to transfer this license to any other person.
2. He shall manufacture, possess, sell and supply raw opium and admixtures of opium only at the premises for which this license is granted and not at any other place.
3. Unless specially authorized by the Deputy Commissioner to obtain it from other sources, he shall obtain by purchase from a licensed retail vendor all raw opium required for use under this license. (In respect of all raw opium so purchased, he shall give the licensed retail vendor a receipt in the prescribed form and shall enter in the space provided in this license the date of purchase and the quantity purchased, and shall show the entry to the licensed retail vendor and obtain his signature if he be literate.)
4. He shall obtain all admixtures of opium required for use under this license either by manufacturing the same from raw opium obtained in the manner required by condition 3 of this license, or by importing the same after compliance with such conditions regarding such import as may from time to time be prescribed by rules made in that behalf.
5. He shall possess and sell under cover of this license no raw opium or admixtures of opium other than such as shall have been obtained in manner provided by conditions 3 and 4 of this license.
6. He shall possess no prepared opium on the premises covered by this license, nor shall he sell prepared opium.
7. He shall not manufacture, possess, or sell any dangerous drug otherwise than under and in accordance with the conditions of a licensed dealer's license, or a licensed chemist's license granted to him under the dangerous drugs rules and subsidiary rules and covering the premises covered by this license.
8. Unless he is specially authorized by the Deputy Commissioner in this behalf and such authorization is endorsed on this license, he shall not possess at one time more than one seer in the aggregate of raw opium and admixtures of opium.
9. He shall not sell or supply raw opium excepting for bona fide medicinal purposes, nor shall he sell or supply to one person on one day raw opium and admixtures of opium exceeding in the aggregate the limit of private possession, nor shall he sell or supply raw opium or admixtures of opium to any insane or intoxicated person or to any person under the age of 14 years.
10. Unless he is specially exempted from doing so by order of the Deputy Commissioner endorsed on this license, he shall maintain in the prescribed form and in the prescribed manner a daily account of all raw opium and admixtures of opium manufactured

One or other of these headings to be deleted.

SUBSIDIARY RULES RELATING TO DANGEROUS DRUGS (MEDICINAL
AND PSYCHOACTIVE) OPIUM, MORPHINE, HEROINE AND COCAINE.)

Notification No. R. Dis. 55-21, dated 22nd April 1922.

In exercise of the powers vested in him by Rule 29 of the Mysore Dangerous Drugs Rules, published in Government Notification No. R. 5161-Ex. 6-21-24, dated 4th April 1922, on pages 35 to 40, of the *Mysore Gazette*, dated 20th April 1922, Part III, and with reference to Rules 17, 18, 21 and 25 of these rules, the Excise Commissioner, hereby prescribes the following forms and conditions for the grant of licenses for the vend of dangerous drugs and of passes for the transport of these drugs. They will come into effect on 1st July 1922.

1. "Licensed dealers' licenses and 'Licensed chemists' licenses shall be in Form I and Form II respectively hereto attached. Every such license shall expire on the 30th June next following the date of issue.

2. The fee for each such license shall ordinarily be Re. 1 per annum, but—

(a) no fee will be levied on licenses granted to officers in charge of medical institutions maintained by the Government;

(b) the Excise Commissioner may remit the fee in the case of licenses granted to persons in charge of charitable medical institutions;

(c) no fee will be charged for the grant of a dealer's license to a person holding a chemist's license.

3. In the case of licenses granted free of charge under clause (a) or (b) of the foregoing rule to officers or persons in charge of medical institutions, the license should be made out in favour of the officer or person by virtue of his office, and not by name.

4. If any such medical institution comprises more than one dispensary situated on the same premises (e.g., a sale dispensary, an out-patient's dispensary, etc.) a single license in Form II will suffice to cover all such dispensaries, a separate license in Form I being taken out to cover the main store from which the dispensaries are supplied. But a note should be made on the license in Form II by the licensing officer to the following effect: "This license covers the following dispensing institutions situated on the premises, viz—

Note.—(i) For a branch dispensary situated in entirely separate premises, a separate license will be required.

(ii) For drugs actually used by an approved practitioner in his practice (and not merely dispensed on his prescription) no license is required (*vide* Rule 6 of the Dangerous Drug Rules). Accordingly, no license is needed for drugs actually used in the operation room of a medical institution in charge of an approved practitioner.

5. If in any case the quantities of drugs specified in condition 3 of the license form are in his opinion inadequate, the Deputy Commissioner should refer the matter, with his recommendation as to the increased quantities to be authorized, for the orders of the Excise Commissioner. Any increased quantity which may be authorized by the Excise Commissioner should be endorsed by the Deputy Commissioner in the space of the foot of condition 3 of the license, the number and date of the Excise Commissioner's orders being cited, and the endorsement being signed by the Deputy Commissioner.

6. (a) The accounts required by condition 6 of the licensed dealer's license and of the licensed chemist's license shall be in Form III and IV respectively hereto attached, books of which shall be supplied by the Deputy Commissioner on payment of such price as may be fixed from time to time.

(b) A separate set of pages shall be set apart for each drug possessed under cover of the license.

(c) Each transaction shall be recorded as it occurs and the account balanced.

(d) When drugs are manufactured otherwise than for immediate sale, supply or dispensing (for instance in the preparation of a standard solution) the quantity of dangerous drugs used in manufacturing the same shall be shown on the appropriate page or pages in column 6, the name and quantity of the drug manufactured and the number of the page on which transactions relating to it are recorded being entered in column 8 on the same page, and the entry signed by the manufacturer. The quantity of drug manufactured shall at the same time be recorded in column 3 on the appropriate page, the word "manufactured" and the number or numbers of the page or pages on which transactions relating to the drugs used in manufacture are recorded being entered in column 4.

(e) If a dealer's license and a chemist's license are held by the same person or institution, the drugs intended for use under each license shall be stocked separately, and drugs transferred from the "dealer's stock to the "Chemist's" stock shall be entered on the appropriate pages in column 6 of Form III and in column 3 of Form IV. In column 8 of Form

III shall be entered the word "transferred to chemist's stock", and the number of the page of Form IV on which the corresponding entry appears, and the entry shall be signed by the person making the transfer, and also by the person in charge of the "chemist's" stock of the "dealer's" and the "chemist's" stock are in the direct charge of different persons.

(7) In the case of medical institutions comprising two or more dispensaries on the same premises, a separate account in Form IV shall be maintained for each dispensary covered by the license (*vide* Rule 4), and in the case of drugs issued to them the appropriate entries in column 8 of Form III will be "transferred to sale dispensary," "transferred to out-patients' dispensary," "transferred to operating room," or as the case may be.

Note.—For drugs issued for use in the operation room of an institution in charge of an approved practitioner an account in Form IV need not be maintained.

(g) Every entry in column 6 of the register in Form III or Form IV maintained by a licensed dealer or licensed chemist shall be authenticated in the last column by the signature of the person by whom the drug is supplied or dispensed and also by the signature of the person to whom it is actually delivered, if literate. If in the case of drugs supplied by a licensed dealer, such person be a person other than the person whose name appears in column 8, the order or acknowledgment for the drug of the person whose name appears in column 8 shall be filed by the licensed vendor after being marked by him with a serial number, which number shall be entered by him in column 10 of Register III. Such orders or acknowledgments shall be produced by the licensed dealer, together with his accounts, on the demand of any officer authorized to demand inspection of his accounts.

(h) Every licensed chemist shall maintain a prescription book in Form V hereto attached which shall be supplied by the Deputy Commissioner on payment of such price as may be fixed from time to time and shall enter in it full particulars of each prescription containing dangerous drugs dispensed by him. To each entry shall be allotted a serial number, and the same serial number will be entered in column 10 of Form IV against the drugs dispensed.

Note.—In case where the original prescription is retained by the licensed chemist and filed in pursuance of the next following rule, the prescription need not be copied in column 5 of the prescription book, the entry in which will be "original prescription filed."

(i) Every prescription retained by a licensed chemist under condition 5 (b) of his license shall be filed by him, after being marked by him with the serial number allotted to it in the prescription book, and shall be produced, together with his accounts, on the demand of any officer authorized to demand inspection of his accounts.

Any licensed dealer or licensed chemist who desires to import dangerous drugs may do so after obtaining the necessary Resident's pass through the Excise Commissioner.

8. Any licensed dealer or licensed chemist who desires to transport dangerous drugs under rule 24 must obtain from the Deputy Commissioner a transport pass which shall be in form VI.

FORM VI
K. CHANDY, Excise Commissioner.

License granted under the Dangerous Drugs Rules to manufacture and possess dangerous drugs and to sell or supply the same otherwise than on prescription.

(Licensed Dealer's license)

(Name of licensed dealer).....

(Name or locality of licensed premises).....

is hereby licensed to manufacture and possess medicinal opium, morphine, heroine, cocaine and to sell or supply the same otherwise than on prescription from the 30th June 1922 to the 30th June 1923.

Any class of drugs which it is not intended to include in the license should be deleted.

provisions of the opium Act and of the Dangerous drugs rules made and notifications issued thereunder and to the following conditions.

1. He shall not transfer or purport to transfer this license to any other person.

2. He shall manufacture, possess, sell and supply dangerous drugs only at the premises for which this license is granted and not at any other place.

3. Unless he is specially authorized by the Excise Commissioner in this behalf and such authorization is endorsed on this license by the Excise Commissioner or by the Deputy Commissioner acting under his instructions, he shall not possess more than 12 ounces in the aggregate of medicinal opium, 8 ounces in the aggregate of morphine and heroine, 2 ounces in the aggregate of cocaine.

4. He shall manufacture dangerous drugs only from raw opium or dangerous drugs lawfully possessed by him.

5. He shall sell or supply dangerous drugs only otherwise than on prescription and only:—

(a) to a dealer or chemist licensed under the Dangerous drug rules or under the corresponding rules for the time being in force in any part of British India

(b) to an approved practitioner

in quantities not exceeding those which such dealer, chemist or practitioner may lawfully possess.

6. He shall maintain in the prescribed form and in the prescribed manner an account of all dangerous drugs manufactured, possessed, sold or supplied by him. A separate set of pages shall be set aside for each drug manufactured, possessed, sold or supplied.

7. He shall at all times on the demand of the Deputy Commissioner or of any other officer specially or generally authorized by him in writing in this behalf produce this license, and the account maintained under condition 6, and shall permit the said authority or officer to inspect the premises covered by and the drugs possessed under this license.

8. This license may at any time be cancelled by the Deputy Commissioner without cause assigned.

Signed, _____

Dated the _____ Deputy Commissioner

Counterpart.

The foregoing license is accepted by me subject to the conditions contained in it and to the provisions of the opium Act and of the Dangerous drug rules made or to be made thereunder. I also certify that I have been supplied with copies of the said Act and rules.

Signature of licensee. (to be filled)

Date. _____

Space of renewals.

Date up to which renewed _____ Signature of Deputy Commissioner _____

_____ Date of renewal _____

FORM II

License granted under the Dangerous drug rules to manufacture and possess dangerous drugs and to sell or supply the same on prescription.

("Licensed Chemist's" license.)

(Name of licensed chemist) _____

_____ residing at _____

is hereby licensed to manufacture and possess * medicinal opium,

* Any class of drugs which it is not intended to include in the license should be deleted. morphine, heroine and cocaine and to sell or supply the

same on prescription from the _____

to the 30th June 1922, subject to the provisions of the

opium Act and of the Dangerous drug rules made and notifications issued thereunder and to

the following conditions, viz:

1. He shall not transfer or purport to transfer this license to any other person.

2. He shall manufacture, possess, sell and dispense dangerous drugs only at the pre-

misses for which this license is granted and not at any other place.

3. Unless he is specially authorized by the Excise Commissioner in this behalf and

such authorization is endorsed on this license by the Excise Commissioner or by the Deputy

Commissioner acting under his instructions, he shall not possess more than—

4 ounces in the aggregate of medicinal opium.

4 do do morphine and heroine.

1 do do cocaine.

[illegible]

FORM IV.

Licensed Chemist's account.

Name of drug.....

Date	Opening balance	Quantity received	Whence received	Total to be accounted for	Quantity dispensed	Closing balance	Name and address of person for whom dispensed	Name and particulars of person to whom actually delivered if supplied through a messenger	Serial number of prescription	Signature of person dispensing and of person to whom delivered
1	2	3	4	5	6	7	8	9	10	11
	S	T	S	T	S	T	S	T		

FORM V.

Prescription Book.

Serial No.	Date of dispensing	Name and address of person for whom prescribed	Name, address and qualifications of approved practitioner by whom prescribed	Exact copy of prescription and of all entries of sales and supercriptions authorizing further supplies endorsed thereon	Signature of person dispensing

FORM VI.

Pass for transport of Dangerous Drugs.

Licensed dealer under Rule 2 of the Mysore Dangerous Drugs Rules is hereby permitted to transport ounces grains of from the licensed premises at to the licensed premises of at .

This pass shall be carried with the consignment, the transport of which it is intended to cover and shall be current until .

It must be filed in the licensed premises .

Deputy Commissioner.

Note.—The pass shall be in triplicate—one copy shall be given to the person in charge of the consignment, another forwarded to the Deputy Commissioner of the district to which the consignment is despatched and the third retained in the office of issue.

SHIMOGA DISTRICT

Notification dated (Camp) Honnali, 25th April, 1922.

Sealed tenders will be received by the undersigned up to 25th May 1922 for the privilege of vending Arrack and Ganja in the undermentioned places of the Honnali Taluk, during the year 1922-23.

Each tender should be accompanied by a deposit of one month's rental in currency notes. The name of the names and the kind of shops for which tender is intended, should clearly be superscribed on the cover.

Particulars relating to consumption rentals etc., in respect of these shops can be had at the Excise Sub-Range Office, Honnali.

The tenders will be opened on the 25th May 1922 at Shimoga by the undersigned.